

106TH CONGRESS  
2D SESSION

# S. 2800

To require the Administrator of the Environmental Protection Agency to  
establish an integrated environmental reporting system.

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IN THE SENATE OF THE UNITED STATES

JUNE 27, 2000

Mr. LAUTENBERG (for himself and Mr. CRAPO) introduced the following bill;  
which was read twice and referred to the Committee on Environment and  
Public Works

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## A BILL

To require the Administrator of the Environmental Protec-  
tion Agency to establish an integrated environmental re-  
porting system.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Streamlined Environ-  
5       mental Reporting and Pollution Prevention Act of 2000”.

6       **SEC. 2. DEFINITIONS.**

7       In this Act:

1           (1) ADMINISTRATOR.—The term “Adminis-  
2           trator” means the Administrator of the Environ-  
3           mental Protection Agency.

4           (2) INTEGRATED REPORTING SYSTEM.—The  
5           term “integrated reporting system” means the inte-  
6           grated environmental reporting system established  
7           under section 3.

8           (3) PERSON.—The term “person” means an in-  
9           dividual, trust, firm, joint stock company, corpora-  
10          tion, partnership, or association, or a facility owned  
11          or operated by the Federal Government or by a  
12          State, tribal government, municipality, commission,  
13          or political subdivision of a State.

14          (4) REPORTING REQUIREMENT.—

15               (A) IN GENERAL.—The term “reporting  
16               requirement” means—

17                     (i) a routine, periodic, environmental  
18                     reporting requirement; and

19                     (ii) any other reporting requirement  
20                     that the Administrator may by regulation  
21                     include within the meaning of the term.

22               (B) EXCLUSIONS.—The term “reporting  
23               requirement” does not include—

24                     (i) the reporting of information relat-  
25                     ing to an emergency, except for informa-

tion submitted as part of a routine periodic environmental report, and except for the purpose specified in subparagraph (C); or

(ii) the reporting of information to the Administrator relating only to business transactions (and not to environmental or regulatory matters) between the Administrator and a person, including information provided—

(I) in the course of fulfilling a contractual obligation between the Administrator and the reporting person;

or

(II) in the filing of financial claims against the Administrator.

(C) CERTAIN DATA STANDARDS FOR REPORTING OF INFORMATION RELATING TO AN EMERGENCY.—The Administrator shall implement data standards under section 3(b)(5)(A) for the reporting of information relating to emergencies.

### **SEC. 3. INTEGRATED REPORTING SYSTEM.**

(a) IN GENERAL.—Not later than 4 years after the date of enactment of this Act, the Administrator shall integrate and streamline the reporting requirements estab-

1 lished under laws administered by the Administrator for  
 2 each person subject to those reporting requirements—

3 (1) in accordance with subsection (b);

4 (2) to the extent not explicitly prohibited by Act  
 5 of Congress; and

6 (3) to the extent consistent with the preserva-  
 7 tion of the integrity, reliability, and security of the  
 8 data reported.

9 (b) COMPONENTS OF REPORTING SYSTEM.—In es-  
 10 tablishing the integrated reporting system, to ensure con-  
 11 sistency and facilitate use of the system, the Adminis-  
 12 trator shall—

13 (1) allow each person required to submit infor-  
 14 mation to the Administrator under reporting re-  
 15 quirements administered by the Administrator to re-  
 16 port the information to 1 point of contact—

17 (A) using a single electronic system or  
 18 paper form; and

19 (B) in the case of an annual reporting re-  
 20 quirement, at 1 time during the year;

21 (2)(A) allow each State, tribal, or local agency  
 22 that has been authorized or delegated authority to  
 23 implement a law administered by the Administrator  
 24 to report information regarding any person subject  
 25 to the law, as required under the law (including a

1 regulation), agreement, or other instrument, author-  
2 izing or delegating the authority, to report to 1 point  
3 of contact—

4 (i) using a single electronic system; and

5 (ii) in the case of an annual reporting re-  
6 quirement, at 1 time during each year; and

7 (B) provide each State, tribal, or local agency  
8 that reports through the integrated reporting system  
9 full access to the data reported to the Administrator  
10 through the system;

11 (3) provide a reporting person, upon request,  
12 full access to information reported by the person to  
13 the Administrator, or to any State, tribal, or local  
14 agency that was subsequently reported to the Ad-  
15 ministrator, in a variety of formats that includes a  
16 format that the person may modify by incorporating  
17 information applicable to the current reporting pe-  
18 riod and then submit to the Administrator to comply  
19 with a current reporting requirement;

20 (4)(A) consult with heads of other Federal  
21 agencies to identify environmental or occupational  
22 safety or health reporting requirements that are not  
23 administered by the Administrator; and

1 (B) as part of the electronic version of the inte-  
2 grated reporting system, post information that pro-  
3 vides direction to the reporting person in—

4 (i) identifying requirements identified  
5 under subparagraph (A) to which the person  
6 may be subject; and

7 (ii) locating sources of information on  
8 those requirements;

9 (5) in consultation with a committee of rep-  
10 resentatives of State and tribal governments, report-  
11 ing persons, environmental groups, information tech-  
12 nology experts, and other interested parties (which,  
13 at the discretion of the Administrator, may occur  
14 through a negotiated rulemaking under subchapter  
15 IV of chapter 5 of title 5, United States Code), im-  
16 plement, and update as necessary, in each national  
17 information system of the Environmental Protection  
18 Agency that contains data reported under the re-  
19 porting system established under this Act, data  
20 standards for—

21 (A) the facility site (including a facility  
22 registry identifier), geographic coordinates,  
23 mailing address, affiliation, organization, envi-  
24 ronmental interest, industrial classification, and

1 individuals that have management responsibility  
2 for environmental matters at the facility site;

3 (B) units of measure;

4 (C) chemical, pollutant, waste, and biological  
5 identification; and

6 (D) other items that the Administrator  
7 considers to be appropriate;

8 (6) in consultation with the committee referred  
9 to in paragraph (5), implement, and update as necessary,  
10 a nomenclature throughout the integrated reporting  
11 system that uses terms that the Administrator believes  
12 are understandable to reporting persons that do not have  
13 environmental expertise;

14 (7) consolidate reporting of data that, but for  
15 consolidation under this paragraph, would be required  
16 to be reported to the integrated reporting system at more  
17 than 1 point in the same data submission;  
18

19 (8) provide for applicable data formats and submission  
20 protocols, including procedures for legally enforceable  
21 electronic signature in accordance with the Government  
22 Paperwork Elimination Act (44 U.S.C. 3504 note) that,  
23 as determined by the Administrator—  
24

1 (A) conform, to the maximum extent prac-  
2 ticable, with public-domain standards for elec-  
3 tronic commerce;

4 (B) are accessible to a substantial majority  
5 of reporting persons; and

6 (C) provide for the integrity and reliability  
7 of the data reported sufficient to satisfy the  
8 legal requirement of proof beyond a reasonable  
9 doubt;

10 (9) establish a National Environmental Data  
11 Model that describes the major data types, signifi-  
12 cant attributes, and interrelationships common to  
13 activities carried out by the Administrator and by  
14 State, tribal, and local agencies (including permit-  
15 ting, compliance, enforcement, budgeting, perform-  
16 ance tracking, and collection and analysis of environ-  
17 mental samples and results), which the Adminis-  
18 trator shall—

19 (A) use as the framework for databases on  
20 which the data reported to the Administrator  
21 through the integrated system shall be kept;  
22 and

23 (B) allow other Federal agencies and  
24 State, tribal, and local governments to use;



1           (10) establish an electronic commerce service  
2           center, accessible through the point of contact estab-  
3           lished under paragraph (1), to provide technical as-  
4           sistance, as necessary and feasible, to each person  
5           that elects to submit applicable electronic reports;

6           (11) provide each reporting person access,  
7           through the point of contact established under para-  
8           graph (1), to scientifically sound, publicly available  
9           information on pollution prevention technologies and  
10          practices;

11          (12) at the discretion of the Administrator, de-  
12          velop, within the reporting system, different methods  
13          by which the reporting person may electronically  
14          provide the required information, in order to facili-  
15          tate use of the system by different sectors, sizes, and  
16          categories of reporting persons;

17          (13) provide protection of confidential business  
18          information or records as defined under section 552a  
19          of title 5, United States Code, so that each reported  
20          item of data receives protection equivalent to the  
21          protection that item of data would receive if the item  
22          were reported to the Administrator through means  
23          other than the integrated reporting system;

24          (14) develop (or cause to be developed), and  
25          make available free of charge through the Internet,

1 software for use by the reporting person that, to the  
2 maximum extent practicable, assists the person in  
3 assembling necessary data, reporting information,  
4 and receiving information on pollution prevention  
5 technologies and practices as described in paragraph  
6 (9); and

7 (15) provide a mechanism by which a reporting  
8 person may, at the option of the reporting person,  
9 electronically transfer information from the data sys-  
10 tem of the reporting person to the integrated report-  
11 ing system through the use, in the integrated report-  
12 ing system, of—

13 (A) open data formats (such as the ASCII  
14 format); and

15 (B) a standard that enables the definition,  
16 transmission, validation, and interpretation of  
17 data by software applications and by organiza-  
18 tions through use of the Internet (such as the  
19 XML standard).

20 (c) SCOPE OF DATA STANDARDS AND NOMEN-  
21 CLATURE.—The data standards and nomenclature imple-  
22 mented and updated under paragraphs (5) and (6) of sub-  
23 section (b) shall not affect any regulatory standard or defi-  
24 nition in effect on the date of enactment of this Act, except

1 to the extent that the Administrator amends, by regula-  
2 tion, the standard or definition.

3 (d) USE OF REPORTING SYSTEM.—Nothing in this  
4 Act requires that any person use the integrated reporting  
5 system instead of an individual reporting system.

6 **SEC. 4. INTERAGENCY COORDINATION.**

7 (a) IN GENERAL.—At the request of any Federal,  
8 State, tribal, or local agency, the Administrator shall co-  
9 ordinate the integration of reporting required under sec-  
10 tion 3 with similar efforts by the agency that, as deter-  
11 mined by the Administrator, are consistent with this Act.

12 (b) INTEGRATED REPORTING ACROSS JURISDIC-  
13 TIONS.—Under subsection (a), the Administrator may de-  
14 velop a procedure under which a person that is required  
15 to report information under 1 or more laws administered  
16 by the Administrator and 1 or more laws administered by  
17 a State, tribal, or local agency may report all required  
18 information—

19 (1) through 1 point of contact using a single  
20 electronic system or paper form; and

21 (2) in the case of an annual reporting require-  
22 ment, at 1 time each year.

23 (c) COMMON DATA FORMAT ACROSS JURISDIC-  
24 TIONS.—To facilitate reporting by persons with facilities  
25 in more than 1 State, tribal, or local jurisdiction, the Ad-

1   ministrator shall encourage the use of a common data for-  
2   mat by any State, tribal, or local agency coordinating with  
3   the Administrator under subsection (a).

4       (d) PROVISION OF INFORMATION.—At the request of  
5   the Administrator, the head of a Federal department or  
6   agency shall provide to the Administrator information on  
7   reporting requirements established under a law adminis-  
8   tered by the agency.

9       (e) SELECTIVE USE OF INTEGRATED REPORTING  
10   SYSTEM.—The Administrator may design the integrated  
11   system to allow a reporting person to use the integrated  
12   reporting system for some purposes and not for others.

13   **SEC. 5. REGULATIONS.**

14       The Administrator may promulgate such regulations  
15   as are necessary to carry out this Act.

16   **SEC. 6. REPORTS.**

17       Not later than 2 years after the date of enactment  
18   of this Act, if the Administrator determines that 1 or more  
19   provisions of law explicitly prohibit or hinder the integra-  
20   tion of reporting and other actions required under this  
21   Act, the Administrator shall submit to Congress a report  
22   identifying those provisions.

23   **SEC. 7. SAVINGS CLAUSE.**

24       (a) IN GENERAL.—Nothing in this Act limits, modi-  
25   fies, affects, amends, or otherwise changes, directly or in-

1 directly, any provision of Federal or State law or the obli-  
2 gation of any person to comply with any provision of law.

3 (b) EFFECT.—Neither this Act nor the integrated re-  
4 porting system shall alter or affect the obligation of a re-  
5 porting person to provide the information required under  
6 any reporting requirement.

7 (c) REPORTING.—Nothing in this Act authorizes the  
8 Administrator to require the reporting of information that  
9 is in addition to, or prohibit the reporting of, information  
10 that is reported as of the day before the date of enactment  
11 of this Act.

